

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

JUSTIN RIDDLE,

Plaintiff,

v.

X CORP. formerly known as TWITTER, INC.,

Defendant.

Civil Action No. 1:25-cv-00073-ADA

**DEFENDANT X CORP.’S UNOPPOSED MOTION SEEKING CLARIFICATION OF X
CORP.’S DEADLINE TO RESPOND TO PLAINTIFF’S EMERGENCY MOTION FOR
PRESERVATION OF EVIDENCE AND IMMEDIATE JUDICIAL INTERVENTION**

X Corp. respectfully submits this unopposed Motion Seeking Clarification of X Corp.’s Deadline to Respond to Plaintiff’s “Emergency Motion for Preservation of Evidence and Immediate Judicial Intervention.”¹ (Dkt. 24, filed on March 16, 2025). In support of this motion, X Corp. states as follows:

Plaintiff filed his Complaint in this Court on January 16, 2025 and served it on X Corp. on February 12, 2025. On March 5, 2025, X Corp. timely filed a motion to dismiss Plaintiff’s Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (Dkt. 14; “Motion to Dismiss”). Plaintiff filed a response to X Corp.’s Motion to Dismiss on March 6, 2025 (Dkt. 19; “Plaintiff’s Response”). On March 12, 2025, X Corp. filed a motion for extension of time to reply to Plaintiff’s Response (Dkt. 20), which was granted on March 13, 2025 via text order.

¹ As Plaintiff’s Motion is non-dispositive, Plaintiff was required to confer with X Corp. in a good-faith attempt to resolve the matter prior to filing his motion. LR CV-7(G). However, Plaintiff failed to do so.

However, in the last five days—since March 13, 2025—Plaintiff has filed *three* additional pleadings and motions: (1) an Amended Complaint (Dkt. 22);² (2) a Motion for Reconsideration of the Court’s Order denying Plaintiff’s prior Motion to Amend Complaint (Dkt. 4) which requested X Corp. be denied a change of venue (Dkt. 23);³ and most recently, (3) an Emergency Motion for Preservation of Evidence and Immediate Judicial Intervention (Dkt. 24) (“Plaintiff’s Motion” or “Motion”).

X Corp. does not know whether the Court will characterize Plaintiff’s Motion as a discovery motion. In the Motion, Plaintiff seeks expedited discovery (among other forms of relief). *See* Plaintiff’s Motion at 8 ¶ 6. Under LR CV-7(D)(2), responses to discovery motions are due 7 days after the filing of the motion. As such, X Corp.’s response would be due on March 24, 2025. However, Plaintiff’s Motion is not a simple discovery motion. Plaintiff contends, among other things, that X Corp. “deliberately modified its platform to hide [certain purported advertising] metrics from Plaintiff while continuing to charge for promotional services,” and Plaintiff seeks a wide variety of non-discovery relief, including, for example, “[d]ata [r]estoration,” “[f]orensic [i]nspection,” an adverse jury instruction, and monetary sanctions. Plaintiff’s Motion at 1, 8–9. And some of Plaintiff’s allegations in his Motion overlap with those in his Amended Complaint filed just five days ago. *See e.g.* Amended Complaint ¶¶ 18-20. Responding to those allegations likely will overlap with X Corp.’s preparation of its response to the Amended Complaint, which is due on March 27, 2025.

² X Corp. understands that Plaintiff’s filing of his Amended Complaint moots its pending Motion to Dismiss. X Corp. intends to answer or otherwise respond to the Amended Complaint by March 27, 2025.

³ X Corp. understands that the Court’s text-only order denying this motion dated March 14, 2025 did not dispose of Plaintiff’s Amended Complaint filed on March 13, 2025.

Considering all these issues, X Corp. requires at least 14 days to prepare a response to Plaintiff's Motion. As such, X Corp. respectfully requests that the Court grant this motion and either clarify or set X Corp.'s deadline to file a response to Plaintiff's Motion to be March 31, 2025. This request is made in good faith and not for the purpose of delay. Plaintiff does not oppose this motion.

Dated: March 18, 2025

Respectfully submitted,

By: /s/ Norma N. Bennett

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Attorneys for Defendant X Corp.

CERTIFICATE OF CONFERENCE

I hereby certify that on March 17, 2025, counsel for X Corp. conferred with pro se Plaintiff Justin Riddle via e-mail regarding this motion. Plaintiff stated that he does not oppose this motion.

/s/ Norma N. Bennett

Norma N. Bennett

CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2025, I filed the foregoing document with the clerk of court for the United States District Court, Western District of Texas, Austin Division, using the Court's CM/ECF filing system. I hereby certify that I have served all parties in the manner authorized by the Federal Rules of Civil Procedure, including those parties not registered for electronic filing.

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/s/ Norma N. Bennett

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